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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 13 (c)

CONCLUDING ITEMS:

ADOPTION OF THE REPORT ON THE FORTY-NINTH SESSION

Draft report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-ninth session

Rapporteur: Mr. Marc Bossuyt

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* E/CN.4/Sub.2/1997/L.10 and Addenda contain the draft chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Sub-Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Commission on Human Rights, will be contained in documents E/CN.4/Sub.2/1997/L.11 and Addenda.

1. The Sub-Commission considered item 10 at it 26th, 30th and 36th meetings held on 22, 25 and 28 August 1997.

2. For the list of documents issued under item 10, see annex ... to the present report.

3. At its 26th meeting, on 22 August 1997, the Special Rapporteur on the human rights dimensions of population transfer, including the implantation of settlers and settlements, Mr. Awn Shawkat Al-Khasawneh, introduced his final report (E/CN.4/Sub.2/1997/23).

4. In this connection, statements were made by the following members of the Sub-Commission: Mr. Alfonso Martínez, Ms. Attah, Ms. Daes, Mr. El-Hajjé, Mr. Guissé, Mr. Khalil, Ms. Warzazi and Mr. Zhong Shukong.

5. At its 30th meeting, on 25 August 1997, Mr. Volodymyr Boutkevitch presented his working paper on the right to freedom of movement (E/CN.4/Sub.2/1997/22).

6. At its 30th meeting, in the general debate on the item, statements were made by the following members of the Sub-Commission: Mr. Bossuyt, Mr. Eide, Mr. El-Hajjé, Mr. Guissé, Mr. Joinet, Mr. Khalil, Mr. Mehedi and Mr. Weissbrodt.

7. A statement was made by the observer for the Office of the United Nations High Commissioner for Refugees.

8. At the same meeting, the Sub-Commission also heard statements by representatives of the following non-governmental organizations: African Commission of Health and Human Rights Promoters, Afro-Asian People's Solidarity Organization, Arab Lawyers Union, France Libertés, Fondation Danielle Mitterand, Himalayan Research and Cultural Foundation, International Educational Development, Inc., International Institute for Peace, Liberation, Lutheran World Federation, North South XXI, Pax Christi International, Pax Romana, Society for Threatened Peoples, War Resisters' International, World Society for Victimology and Worldview International Foundation.

9. Statements were made by the observers for Cyprus and Peru.

10. Statements equivalent to a right of reply were made by the observers for China, Cyprus, Pakistan and Turkey.

11. At the same meeting, a concluding statement was made by Mr. Al-Khasawneh.

Freedom of movement and population transfers

12. At its 34th meeting, on 27 August 1997, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1997/L.46, sponsored by Mr. Boutkevitch, Ms. Daes, Mr. Eide, Mr. Lindgren Alves, Ms. Palley, Mr. Park, Ms. Warzazi, Mr. Weissbrodt and Mr. Yimer. Ms. Attah, Mr. El-Hajjé, Mr. Guissé, Mr. Joinet, Mr. Khalil, Mr. Maxim and Mr. Mehedi subsequently joined the sponsors.

13. Statements in connection with the draft resolution were made by Mr. Alfonso Martínez, Mr. Bossuyt and Ms. Warzazi.

14. The draft resolution was adopted without a vote. For the text of the resolution see chapter II, section A, resolution 1997/29.

Study concerning the right to freedom of movement

15. At its 34th meeting, on 27 August 1997, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1997/L.47, sponsored by Mr. Alfonso Martínez, Mr. Ali Khan, Ms. Attah, Mr. Bossuyt, Mr. Chernichenko, Ms. Daes, Mr. Diaz Uribe, Mr. Eide, Mr. El-Hajjé, Mr. Fan Guoxiang, Mr. Fix Zamudio, Mr. Guissé, Ms. Gwanmesia, Mr. Hatano, Mr. Joinet, Mr. Khalil, Mr. Lindgren Alves, Mr. Maxim, Mr. Mehedi, Ms. Palley, Mr. Park, Ms. Warzazi and Mr. Yimer.

16. Statements in connection with the draft resolution were made by Mr. Alfonso Martínez, Ms. Attah, Mr. Bossuyt and Mr. Chernichenko.

17. The draft resolution was adopted without a vote. For the text of the resolution see chapter II, section A, resolution 1997/30.

The right to return

18. At its 34th meeting, on 27 August 1997, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1997/L.53, sponsored by Ms. Attah, Mr. Bossuyt, Mr. Boutkevitch, Mr. Chernichenko, Ms. Daes, Mr. Diaz Uribe, Mr. Eide, Mr. El-Hajjé, Mr. Fix Zamudio, Mr. Hatano, Mr. Lindgren Alves, Mr. Maxim, Mr. Mehedi, Ms. Palley, Mr. Weissbrodt and Mr. Yimer. Ms. Gwanmesia, Mr. Khalil and Mr. Joinet subsequently joined the sponsors.

19. Ms. Warzazi proposed to amend the draft resolution by replacing, in operative paragraph 6, the words "have fled or been driven out" by the word "originate" after the words "countries from which refugees", and by replacing the words "resolve such long-standing questions, the primary purpose of such negotiations being" by the words "realize the primary purpose of such negotiations, which is".

20. Statements in connection with the draft resolution were made by Mr. Alfonso Martínez, Ms. Attah, Mr. Eide, Mr. Fan Guoxiang, Mr. Guissé, Mr. Joinet and Mr. Mehedi.

21. At the proposal of Mr. Mehedi, a vote was taken on whether to adopt the amendment. The motion was adopted by 14 votes to 1, with 8 abstentions.

22. The draft resolution, as amended, was adopted without a vote. For the text of the resolution see chapter II, section A, resolution 1997/31.

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